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**Sent:** 8/19/2018 6:00:55 PM  
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**Subject:** Morning Consult Energy: Week in Review & What's Ahead

# M ENERGY

By Jacqueline Toth

## Week in Review

### Environmental Protection Agency

- The Trump administration intends to give states greater latitude to create their own rules to make coal-fired power plants more efficient or to request permission to opt out of such regulations, under a proposed replacement of the Obama administration's Clean Power Plan, according to an unpublished draft and a source familiar with other parts of the plan.
- Environmental Protection Agency staff cast doubt on the Transportation Department's calculations of the benefits of the Trump administration's proposed changes to federal fuel economy and greenhouse gas emission standards for certain vehicles, according to an internal June 18 memo posted online by the EPA.

### Environmental lawsuits

- The Waters of the United States rule is back in effect in 26 states after the U.S. District Court for the District of South Carolina issued a nationwide injunction on the Trump administration's delay of the rule, which the EPA and U.S. Army Corps of Engineers intend to revise.
- In the first case of its kind to go to trial, Monsanto Co. was ordered by a jury to pay \$289 million in damages to a former school groundskeeper who alleged that its weed-killers made from the

popular herbicide glyphosate caused his non-Hodgkin's lymphoma.

## **Department of Energy**

- President Donald Trump signed the \$717 billion fiscal 2019 National Defense Authorization Act into law at Fort Drum, N.Y., most of which authorizes funding for the Pentagon and defense work performed by the Energy Department.
- William Cooper, Trump's nominee for general counsel at the Energy Department, told the Senate Energy and Natural Resources Committee he would not make a legal judgment on the government's plans to support coal and nuclear power plants until reviewing the administration's evidence. Meanwhile, Lane Genatowski, nominated to run the department's Advanced Research Projects Agency-Energy, said he would be an "enthusiastic supporter" of the program.

## **Oil and gas**

- TransCanada Corp.'s \$8 billion, 1,180-mile Keystone XL crude oil pipeline faces further delays after a federal court ordered the State Department to perform a full environmental review of the project's revised intended route through Nebraska.
- Onshore oil and gas developer Diamondback Energy Inc. will buy Energen Corp. through an all-stock deal of about \$8.4 billion that would give Diamondback shareholders ownership of about 62 percent of the combined company and Energen shareholders control of the rest.
- The Interior Department's oil and gas lease sale that offered 14,622 tracts garnered bids on 144 of those plots, or less than 1 percent of the area made available.

## **Tesla Inc.**

- In an interview, Tesla Inc. Chief Executive Elon Musk called this past year "excruciating" and said his physical health has "not been great," following production difficulties of the company's Model 3 electric vehicle and the upheaval caused by his Aug. 7 tweet announcing his intention to take Tesla private. That tweet was not vetted by anyone before posting, he said, adding that he does not regret the tweet and does not intend to stop using Twitter.

- Tesla's board of directors formed a special committee that will evaluate Musk's proposal to take the company private and will take advice from law firms Latham & Watkins LLP and Wilson Sonsini Goodrich & Rosati, according to a statement.
- The Securities and Exchange Commission, which is now reportedly investigating Musk's tweet, had already started investigating Tesla last year over whether the company misled investors over Model 3 sedan production issues, according to people familiar with the situation.

## What's Ahead

- The Senate is in session this week; the House is in recess.
- The comment period closes Monday on the White House Council on Environmental Quality's proposed update to its National Environmental Policy Act implementing regulations.
- On Tuesday at 9:30 a.m., the Senate Armed Services Committee is set to meet to consider several individuals nominated for Defense Department positions, including for that of assistant secretary of the army for energy, installations and environment.
- The Trump administration's proposal to replace the Clean Power Plan regulation is reportedly expected for release late this week.

## Events Calendar (All Times Local)

### MONDAY

Electric Power Research Institute international conference and exposition

7 a.m.

Senate Commerce, Science and Transportation field hearing on pipeline safety in the Great Lakes	10 a.m.
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Senate Transportation and Infrastructure Subcommittee field hearing on flooding in Ellicott City, Md.	1 p.m.
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## **TUESDAY**

Electric Power Research Institute international conference and exposition	6:30 a.m.
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Nuclear Energy Institute Regulatory Affairs Forum	7 a.m.
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Energy Department Better Buildings Summit and Energy Exchange	9 a.m.
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Senate Armed Services Committee confirmation hearing on a Defense official with energy responsibilities, and others	9:30 a.m.
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Senate Energy and Natural Resources hearing on the energy efficiency of blockchain and similar technologies	10 a.m.
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Senate Crime and Terrorism Subcommittee hearing on cyberthreats to national critical infrastructure	2:30 p.m.
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## **WEDNESDAY**

Electric Power Research Institute international conference and exposition	6:30 a.m.
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Nuclear Energy Institute Regulatory Affairs Forum	7 a.m.
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Senate Public Lands, Forests and Mining Subcommittee hearing on helium extraction and lands legislation	10 a.m.
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## **THURSDAY**

Electric Power Research Institute international conference and exposition	7 a.m.
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Nuclear Energy Institute Regulatory Affairs Forum	7 a.m.
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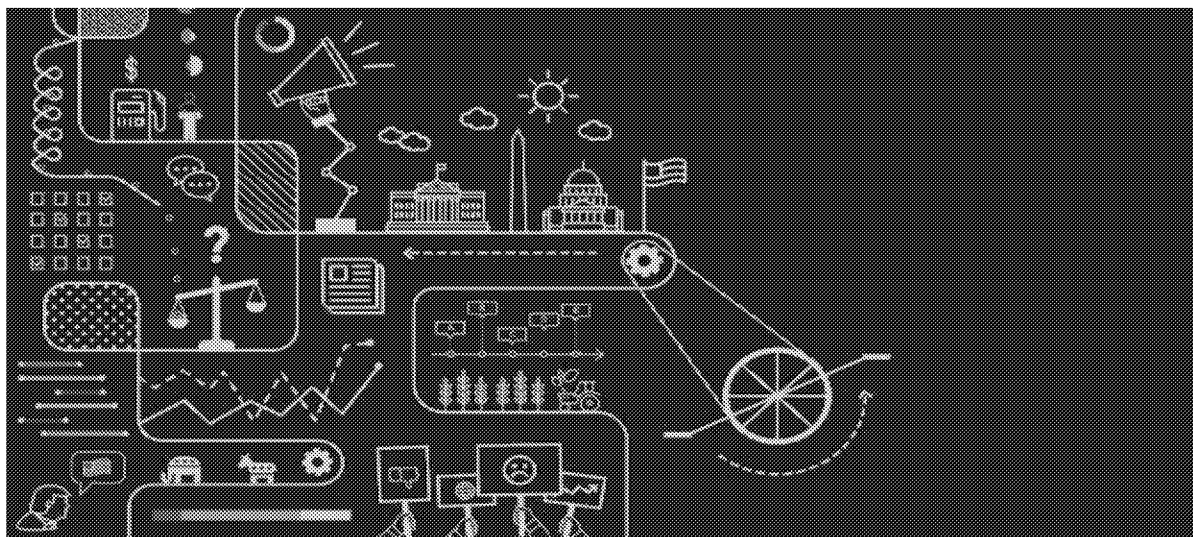
Global America Business Institute event on advanced nuclear innovation 12 p.m.

American Bar Association teleconference on fuel economy and greenhouse gas standard reform 12:30 p.m.

Environmental Protection Agency IRIS Public Science Meeting on Naphthalene 1 p.m.

## **FRIDAY**

No events scheduled



## **CSR & Political Activism in the Trump Era**

How to avoid a firestorm, improve your brand's reputation.

## Morning Consult Energy Top Reads

- 1) [Draft details Trump's plan for reversing Obama climate rule](#)  
Emily Holden, Politico
- 2) [Judge revives WOTUS in 26 states](#)  
Ariel Wittenberg, E&E News
- 3) [Federal agency halts all work on Atlantic Coast Pipeline after judges revoke permits](#)  
Gregory S. Schneider, The Washington Post
- 4) [How to Transform a Wilderness Into a Giant Battery](#)  
Jason Scott, Bloomberg
- 5) [U.S. judge orders review of TransCanada's Keystone XL pipeline route](#)  
Timothy Gardner, Reuters
- 6) [Monsanto ordered to pay \\$289 million in world's first Roundup cancer trial](#)  
Tina Bellon, Reuters
- 7) [China's plan to become a nuclear energy powerhouse](#)  
Zachary Basu, Axios
- 8) [Tencent-Backed Chinese EV Maker Seeks \\$1.8 Billion U.S. IPO](#)  
Anand Krishnamoorthy, Bloomberg
- 9) [State tells Hanford 'no.' Stabilizing the radioactive waste tunnel must wait](#)  
Annette Cary, Tri-City Herald
- 10) [Ryan Zinke blames 'environmental terrorist groups' for severity of California wildfires](#)  
Erin B. Logan, The Washington Post



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